

The Orissa Gazette



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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 17th February 2009

No. 1601—li/1(B)-153/1999(Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 22nd January 2009 in Industrial Dispute Case No. 204 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of the Executive Engineer, Nimapara Irrigation Division, Nimapara and its workman Shri Pankaj Charan Panda was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 204 OF 2008

Dated the 22nd January 2009

Present:

Shri P. C. Mishra, o.s.j.s. (Sr. Branch),
Presiding Officer, Industrial Tribunal,
Bhubaneswar.

Between:

The Executive Engineer, .. First Party—Management
Nimapara Irrigation Division,
Nimapara.

And

Shri Pankaj Charan Panda, .. Second Party—Workman
C/o A. L. O., Puri.

Appearances :

For both the parties .. None

AWARD

Originally, the Government of Orissa in the Labour & Employment Department had referred the following dispute for adjudication by the Presiding Officer, Labour Court, Bhubaneswar vide its Order No. 4448—li/1(B)-153/1999-L.E., dated the 24th March 2000, but subsequently it transferred the dispute to be adjudicated by the Presiding Officer, Industrial Tribunal, Bhubaneswar vide its Order No. 4138—li/21-32/2007-L.E., dated the 4th April 2008 :—

“Whether the action of the management of Executive Engineer, Nimapara Irrigation Division, Nimapara by way of terminating the services of Shri Pankaj Charan Panda, D.L.R. Khalasi, with effect from the 1st April 1995 is legal and/or justified ? If not, what relief Shri Panda is entitled to ?”

2. In this case the second party workman has filed its claim statement. The management despite notice did not file its written statement and was set *ex parte* vide order dated the 4th January 2002. The second party workman was thereafter noticed for *ex parte* hearing and inspite notice he did not appear. From the conduct of the workman it can safely be presumed that he is no more interested to pursue the litigation. In absence of any evidence it is not possible to answer the reference in any manner. Hence, a No Dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. C. MISHRA

22-01-2009

Presiding Officer

Industrial Tribunal, Bhubaneswar.

P. C. MISHRA

22-01-2009

Presiding Officer

Industrial Tribunal, Bhubaneswar.

By order of the Governor

K. C. BASKE

Under-Secretary to Government